

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ALABAMA
MIDDLE DIVISION**

YAPO P. ADON,)	
)	
Petitioner,)	
)	
v.)	4:13-cv-2182-LSC-JEO
)	
ERIC H. HOLDER, JR., Attorney)	
General of the United States, et al.,)	
)	
Respondents.)	

MEMORANDUM OPINION

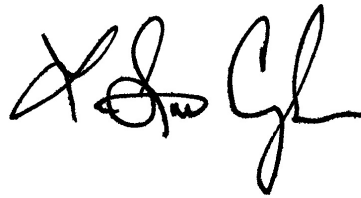
This is an action on a *pro se* petition for a writ of habeas corpus filed pursuant to 28 U.S.C. § 2241, in which Petitioner Yapo P. Adon challenges his detention pending his removal from the United States pursuant to the Immigration and Nationality Act (“INA”), 8 U.S.C. § 1101 et seq. (Doc.¹ 1 (“Petition” or “Pet.”)). On December 9, 2013, the magistrate judge to whom the action was referred for preliminary review entered a report pursuant to 28 U.S.C. § 636(b), recommending that Petitioner’s application for habeas relief be denied. (Doc. 2). Specifically, the magistrate judge concluded that Petitioner’s claims contesting his detention since the entry of a removal order are premature under *Zadvydas v. Davis*, 533 U.S. 678 (2001), because his removal order became final less than six months ago, on October 17, 2013, with the dismissal of his appeal to the Bureau of Immigration Appeals. The magistrate judge further concluded that any challenge to Petitioner’s detention prior to the issuance of a removal order is

^{1/} References herein to “Doc(s). ___” are to the document numbers assigned by the Clerk of the Court to the pleadings, motions, and other materials in the court file, as reflected on the docket sheet in the court’s Case Management/Electronic Case Files system.

moot. Petitioner has filed response objecting to the magistrate judge's report and recommendation. (*See* Doc. 3 at pp. 22-30).

Having carefully reviewed and considered *de novo* all the materials in the court file, including the findings and recommendation of the magistrate judge and the Petitioner's objections thereto, the court is of the opinion that the magistrate judge's findings are due to be and are hereby ADOPTED and his recommendation is ACCEPTED. Petitioner's objections are OVERRULED. As a result, Petitioner's application for a writ of habeas corpus is due to be DENIED. A separate final judgment will be entered.

DONE, this 7th day of January, 2014.

A handwritten signature in black ink, appearing to read 'L. Scott Coogler', is positioned above a horizontal line.

L. SCOTT COOGLER
UNITED STATES DISTRICT JUDGE
174256